



PATENT  
ATTORNEY DOCKET NO. 50154/003001

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*Christine M. Colbert*  
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*Christine M. Colbert*  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey A. Hubbell et al. Art Unit: 1637  
Serial No.: 09/586,937 Examiner: J. Riley  
Filed: June 2, 2000 Customer No.: 21559  
Title: CONJUGATE ADDITION REACTIONS FOR THE  
CONTROLLED DELIVERY OF PHARMACEUTICALLY  
ACTIVE COMPOUNDS

Mail Stop Issue Fee  
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APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705

In response to the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) mailed with the Notice of Allowance on October 1, 2004 in connection with the above-captioned patent application, Applicants hereby request reconsideration of the patent term adjustment.

The correct patent term adjustment remains 0 days, assuming the patent issues within 3 months of January 3, 2005. The calculation of Applicants' delay is incorrect and should be changed from 366 days to 297 days.

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01/06/2005 HAL122 00000018 09586937 200.00 0P 01 FC:1455

Applicant agrees with the calculation of 22 days of USPTO delay to date.

The relevant dates as specified in §§ 1.704(a) through (e) for which an adjustment is sought are as follows:

The Office mail a Notice to File Missing Parts on August 28, 2000. Applicants replied to this Notice on January 2, 2001, which is 35 days more than three months from the date of mailing of the Notice. A delay of 104 days is however attributed to Applicants based on the reply to the Notice. The correct number of days of delay for replying to this Notice is 35 days. Copies of the stamped postcard from Applicants' reply and the Patent Term Adjustment determination from PAIR are enclosed as proof of the relevant dates.

Applicants agree with the determination of 262 days of total delay for replying to the Office Actions mailed on April 25, 2001, February 6, 2002, September 26, 2002, and April 30, 2004.

The total number of days of Applicants' delay is thus 297 days, not 366 days as calculated by the Office.

The term of adjustment under 37 C.F.R. § 1.703 (f), equal to the sum of the periods calculated under 37 C.F.R. §§ 1.703 (a) through (e), to the extent that such periods are not overlapping, less the sum of the periods calculated under 37 C.F.R. § 1.704, is 0 days.

The application is not subject to a terminal disclaimer.

### CONCLUSION

Applicants submit that the current patent term adjustment should be 0 days, with an Applicants' delay of 297 days, and request reconsideration of the patent term

adjustment.

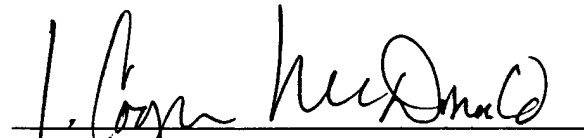
Enclosed is a check in the amount of \$200.00 for the fee set forth in 37 C.F.R. § 1.18(e). If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

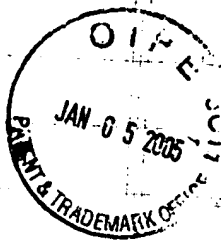
Date:

January 3, 2005

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\_\_\_\_\_  
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J. Cooper McDonald  
Reg. No. 52,011



**\*\*PROSECUTION\*\***

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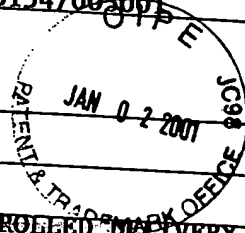
The U.S. PTO date stamp sets forth the date of receipt of:

Applicant/Patentee: Jeffrey A. Hubbell et al.

Serial/Patent Number: 09/586,937

Filed/Issued: June 2, 2000

Title: CONJUGATE ADDITION REACTIONS FOR THE CONTROLLED DELIVERY OF PHARMACEUTICALLY ACTIVE COMPOUNDS



<input type="checkbox"/> Transmittal Letter	Pages: _____	<input checked="" type="checkbox"/> Declaration & POA	Pages: <u>3</u>
<input checked="" type="checkbox"/> Notice of Missing Parts	Pages: <u>1</u>	<input type="checkbox"/> Assignment & Cover Sheet	Pages: _____
<input checked="" type="checkbox"/> Reply to Missing Parts	Pages: <u>1</u>	<input type="checkbox"/> Change of Address	Pages: _____
<input type="checkbox"/> Reply to Examiner's Action	Pages: _____	<input checked="" type="checkbox"/> Small Entity Statement	Pages: <u>1</u>
<input checked="" type="checkbox"/> Extension of Time	Pages: <u>1</u>	<input type="checkbox"/> Preliminary Amendment	Pages: _____
<input type="checkbox"/> Notice of Appeal	Pages: _____	<input type="checkbox"/> IDS	Pages: _____
<input type="checkbox"/> Appeal Brief	Pages: _____	<input type="checkbox"/> Cited References	Number: _____
<input type="checkbox"/> Drawings Formal/Informal	Pages: _____	<input type="checkbox"/> Other _____	Pages: _____
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	<u>65.00</u>		
<input type="checkbox"/> Other _____			

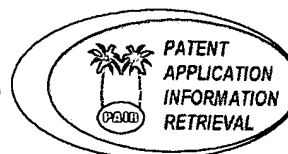
Atty/Secy: KBB/mjd Client/Matter Name: Hubbell/Conjugate Addition Date: 12/26/00



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## PATENT APPLICATION INFORMATION RETRIEVAL



## Patent Term Adjustment (PTA) for publication number: 09/586,937

			Days
Filing or 371(c) Date:	06-02-2000	USPTO Delay (PTO):	22
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	366
Post-Issue Petitions (days):	+0	Total PTA:	0
USPTO Adjustment (days):	+0	Explanation of Calculations	

## Search Options

Assignments
Continuity Data
Display References
Image File Wrapper
File History
Publication Review

## Patent Term Adjustment History

Date	Contents Description	PTO (days)	APPL (days)
10-01-2004	Mail Notice of Allowance		
09-30-2004	Issue Revision Completed		
09-30-2004	Notice of Allowance Data Verification Completed		
09-30-2004	Notice of Allowability		
08-13-2004	Reference capture on IDS		
08-13-2004	Date Forwarded to Examiner		
08-03-2004	Response after Non-Final Action		4
08-03-2004	Workflow incoming amendment IFW		↑
07-22-2004	Workflow - Query Request - Finish		↑
04-30-2004	Mail Non-Final Rejection		↑
04-29-2004	Non-Final Rejection		
04-01-2004	Reference capture on IDS		
01-28-2004	Information Disclosure Statement (IDS) Filed		
04-01-2004	Date Forwarded to Examiner		
01-28-2004	Request for Continued Examination (RCE)		
04-01-2004	Express Abandonment (for Entry of CPA / RCE / Rule129)		
03-22-2004	Workflow - Query Request - Begin		
02-18-2004	Sequence Forwarded to Pubs on Tape		
02-16-2004	Receipt into Pubs		
02-13-2004	Workflow - File Sent to Contractor		
01-28-2004	Workflow - Request for RCE - Begin		
10-24-2003	Mail Notice of Allowance	22	

10-20-2003	Notice of Allowance Data Verification Completed		
10-20-2003	Notice of Allowability		
10-03-2003	Date Forwarded to Examiner		
06-02-2003	Response after Ex Parte Quayle Action		
04-15-2003	Mail Ex Parte Quayle Action (PTOL - 326)		
04-15-2003	Ex Parte Quayle Action		
03-12-2003	Date Forwarded to Examiner		
03-04-2003	Response after Non-Final Action		68
03-04-2003	Request for Extension of Time - Granted		
02-19-2003	Information Disclosure Statement (IDS) Filed		
09-26-2002	Mail Non-Final Rejection		
09-24-2002	Non-Final Rejection		
08-26-2002	CRF Is Good Technically / Entered into Database		
08-17-2002	Date Forwarded to Examiner		
08-12-2002	Response after Non-Final Action		98
08-12-2002	Miscellaneous Incoming Letter		
08-12-2002	Request for Extension of Time - Granted		
02-07-2002	Case Docketed to Examiner in GAU		
02-06-2002	Mail Non-Final Rejection		
02-04-2002	Non-Final Rejection		
01-07-2002	Date Forwarded to Examiner		
10-25-2001	Response after Non-Final Action		92
10-25-2001	Request for Extension of Time - Granted		
09-24-2001	Case Docketed to Examiner in GAU		
09-19-2001	Case Docketed to Examiner in GAU		
04-25-2001	Mail Non-Final Rejection		
03-26-2001	Non-Final Rejection		
10-16-2000	Preliminary Amendment		
03-23-2001	Case Docketed to Examiner in GAU		
03-16-2001	Application Dispatched from OIPE		
03-12-2001	Application Is Now Complete		104
03-12-2001	Correspondence Address Change		
08-28-2000	Notice Mailed--Application Incomplete--Filing Date Assigned		
07-31-2000	Correspondence Address Change		
06-21-2000	IFW Scan & PACR Auto Security Review		
06-02-2000	Initial Exam Team nn		

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